

PERSONNEL**Sick Leave Bank****A. Generally**

The Stafford County School Board has directed the establishment of a sick leave bank for employees provided one-third of full-time and part-time (18.75 hours per week) eligible employees participate in the plan. The sick leave bank shall afford properly enrolled members to use days from the bank for extended absence from work, provided all regulations stated below are followed.

Sick leave bank benefits may not be received for routine maternity leave.

B. Membership and Eligibility

An employee is eligible for membership provided he/she is a full-time or part-time (18.75 hours per week) employee under contract with the School Board and shall not have terminated or discontinued membership in the sick leave bank within the time period set forth in Section C of this regulation. Membership shall be voluntary.

C. Enrollment

An employee eligible for membership may enroll in the sick leave bank by completing the following process:

1. Submit a sick leave bank application to the Executive Director of Human Resources or a designee during the enrollment window of September 15th through October 15th of the contract period. If an employee is hired after October 15th, then the new employee must file the application within the first thirty days of his/her contract period.

2. Donate one day of accumulated sick leave to the bank.

D. Procedures Concerning Use of Sick Leave Bank Entitlement

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1. An employee must have been enrolled in the plan for six consecutive months prior to becoming eligible for benefits of the sick leave bank. Should a member decide to discontinue membership in the sick leave bank, and at a later date desire to re-enroll, then that employee cannot reapply until the next enrollment window becomes available. Once re-enrolled, the employee again will have to wait six months prior to becoming eligible for benefits from the sick leave bank.

2. The employee must make application for sick leave bank benefits - it is not automatic.

3. The sick leave bank entitlement may be used when an enrolled employee or family member requiring attendance of the employee is incapacitated by illness or injury which has been certified by a licensed physician. Family members shall include the following: natural parent, adoptive parent, foster parent, stepfather, stepmother, parent-in-law, spouse, natural child, stepchild, adoptive child, foster child, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law. Also included are any other relatives who are permanent residents of the same household.

4. Before becoming eligible for sick leave bank benefits, the employee shall have exhausted completely his/her own sick leave, annual leave, and personal leave accumulation. After such exhaustion of his/her own sick leave, annual leave, and personal leave, there shall be a waiting period of 20 working days (elimination period) - without pay - before becoming eligible for sick leave bank benefits. The term "pay" includes, but is not limited to, wages from the employee's position within the school division; wages earned from active work in a position outside the school division; disability benefits; and monies received from Worker's Compensation. Should an employee have a Worker's Compensation case pending during the time period that sick leave bank benefits are received, and the Worker's Compensation suit is subsequently concluded with a settlement award which includes wages, the

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employee will be required to reimburse the sick leave bank, in cash, for the portion of sick leave bank benefits received for the same dates to which the settlement award apply. The reimbursement must be received within thirty (30) days of notification to the employee by the school division. The school division, in its sole discretion, reserves the right to resolve any and all disputes involving the meaning of the word "pay."

During the 20-working day elimination period, employees may continue under the health insurance plan and the group life insurance plan for this period by paying the full premiums in advance. If advance payments are not received, the employee's health insurance and group life insurance will be terminated. These premiums must be paid before the 20-working day elimination period commences.

5. A licensed physician's certificate verifying the illness of the employee or of the employee's family member is required before a sick leave bank member can use his or her sick leave bank entitlement. This certificate is to be submitted to the Executive Director of Human Resources or designee and must include the employee's name, social security number, and occupation. The licensed physician must indicate: the nature of the illness or disability; that the employee or family member is totally unable to perform any work because of such illness or disability; the date the employee ceased work; and, approximately how long the employee will be unable to return to work. The phrase "any work" refers not only to the employee's position within the school division, but also to active work in a position outside the school division for which the employee receives wages. A licensed physician's note indicating that the employee will be permanently unable to return to work will not preclude an employee from receiving sick leave bank benefits. The school division, in its sole discretion, reserves the right to resolve any and all disputes involving the meaning of the phrase "any work."

6. A maximum of 45 working days from the bank may be utilized in a twelve (12) month period by any one member.

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Participating members must return to work and must meet the requirements of items 2, 4, and 5 (immediately above) before again becoming eligible to utilize sick leave bank benefits. If the member or related family member suffers a relapse within 30 calendar days due to the same illness or disability which necessitated initial utilization of the bank, the member need not meet another 20-working day elimination period but must submit an updated licensed physician's certificate.

7. A member utilizing sick leave days from the bank shall not have to replace the days used except as set forth in Section D4.

8. The sick leave bank utilization period shall run concurrently with leave pursuant to the Family and Medical Leave Act as applicable.

9. Exclusions

a. Medical conditions resulting from the following will be excluded from eligibility for benefits under the Sick Leave Bank:

i. any occupationally-related accident or illness for which Worker's Compensation benefits have been awarded or is compensable by Worker's Compensation; or

ii. injuries occurring in the course of committing a felony, assault, or any other type of crime.

iii. injuries occurring in the course of driving under the influence of alcohol or illegal drugs.

b. Employees are ineligible to use sick leave bank benefits during the period of any disciplinary suspensions.

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1. The members shall be assessed an additional day of sick leave when the balance is reduced to 150 days. Notification of such assessment shall be sent to each member at the time it is determined to be necessary, and the assessment shall be made unless the participant chooses to cease membership in the bank. A member may terminate membership in the bank by notifying the Executive Director of Human Resources, in writing, within 30 calendar days from the date of the assessment notice. A member who has no sick leave to contribute at the time of assessment shall be assessed this day from the first sick leave day subsequently accumulated. A member terminating membership shall not be eligible to re-enroll until the next regular enrollment period as set forth in Section C of this regulation. In addition, a member terminating membership shall not be entitled to any refund of days contributed to the sick leave bank as set forth in Section E4.

2. If the sick leave bank is abolished by the School Board or by legal ruling, the remaining sick leave bank days shall be distributed first to those members drawing from the bank, and then to each member if sufficient days exist to return one full to each member. In the absence of sufficient days to redistribute one day per member, the sick leave bank shall terminate with no distribution of days to anyone.

3. If the sick leave bank becomes inoperative for any reason, the School Board shall not be held responsible to anyone, enrolled now or eligible in the future, for any claims.

4. Upon termination of employment or withdrawal of membership from the bank, a participating employee shall not be permitted to withdraw his or her contributed days(s).

5. Employees with less than five (5) consecutive years of qualifying service in the Stafford County Public

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Schools may donate unused, earned sick leave days to the sick leave bank upon separation from service. Donations must be made within thirty (30) days after the employee's departure date. Employees donating leave to the sick leave bank shall lose all rights to these days in the future.

F. Administration of Sick Leave Bank

The Executive Director of Human Resources, or designee, shall be responsible for the implementation and administration of the Sick Leave Bank policy and regulations.

Approved by Division Superintendent:	June 23, 1985
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